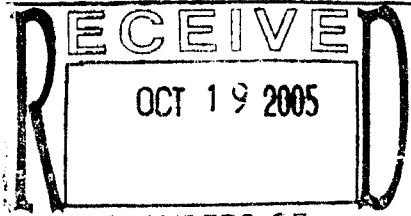


U.S. Department of Justice



United States Attorney
Southern District of New York

CHAMBERS OF
COLLEEN McMAHON

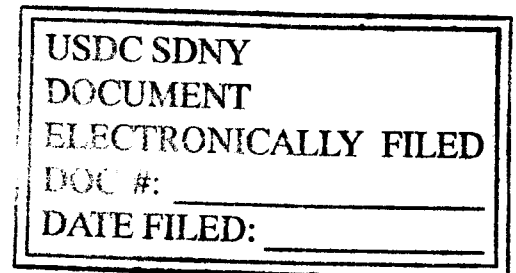
United States District Courthouse
300 Quarropas Street
White Plains, New York 10601

October 19, 2005

BY HAND

Honorable Colleen McMahon
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: U.S. v. Daniel E. Marino
05 Cr. 1036 (CM)



Dear Judge McMahon:

In connection with the above-referenced matter, we respectfully request that the Court enter the enclosed Preliminary Order of Forfeiture. The Preliminary Order relates to the disposition of the assets named in the above-referenced Information except for the approximately \$100,000,000 on deposit at Bank of America in the name of the Arizona State Treasurer and referenced as SW 2005-001633. Marino, in his plea agreement, admitted to the forfeiture allegations contained in the Information. We anticipate filing an amended order, as soon as possible, that will include the money at Bank of America. At this time, however, we would like to proceed with the forfeiture of the other assets without further delay.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: Margery B. Feinzig
Margery B. Feinzig
Barbara A. Ward
Assistant United States Attorneys
(914) 993-1912

cc: Andrew Bowman, Esq.